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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/689,279	10/12/2000	Antti Kosola	5070-006 (GC 621)	7791

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EXAMINER

POPOVICS, ROBERT J

ART UNIT	PAPER NUMBER
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1724

DATE MAILED: 07/29/2002

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/689,279

Applicant(s)

Kosola et al.

Examiner

Popovics

Group Art Unit

1724

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE Three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- ☒ Responsive to communication(s) filed on 4/25/02 (Electron)
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-76 is/are pending in the application.
- Of the above claim(s) 22-35 AND 46-76 is/are withdrawn from consideration.
- ☒ Claim(s) 17-21 AND 36-45 is/are allowed.
- ☒ Claim(s) 1-4 AND 9-16 is/are rejected.
- ☐ Claim(s) is/are objected to.
- ☐ Claim(s) are subject to restriction or election requirement

Application Papers

- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☐ All ☐ Some* ☐ None of the:
 - ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 4
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

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DETAILED ACTION

1. Please note the new art unit and mark all incoming papers accordingly.

Election/Restriction

2. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims **1-21** and **36-45**, drawn to a ROTARY DRUM FILTRATION APPARATUS/METHOD, classified in class 210, subclass 402.
 - II. Claims **22-35** and **46-71**, drawn to a METHOD OF SEPARATING COMPONENTS FROM A SAMPLE, classified in class 210, subclass 784.
 - III. Claims **72-76**, drawn to an APPLICATOR DEVICE, classified in class 118, subclass 56.
3. Applicant's election *without* traverse of Group I in Paper No. Six is acknowledged.
Please note the above groupings. Claim **67** was erroneously listed as being included in Group I.
It has been deleted from Group I.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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5. Claims **1-4,9-16** are rejected under 35 U.S.C. 102(b) as being anticipated by **Mattelmaki** (U.S. Patent No. 5,149,448).

See Figs 1-2.

6. Claims **1-4,9-16** are rejected under 35 U.S.C. 102(b) as being anticipated by **Baird et al.** (U.S. Patent No. 5,470,472).

See Figs 1-2 and 6.

7. Claims **1-4,9-16** are rejected under 35 U.S.C. 102(a) as being anticipated by **Martensson et al.** (U.S. Patent No. 5,968,372).

See Fig 10.

8. Claims **1,3-4,9-16** are rejected under 35 U.S.C. 102(b) as being anticipated by **Larsson et al.** (U.S. Patent No. 5,759,397).

See Figs. 3-5.

Claim Rejections - 35 USC § 112

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claim 9 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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In claim 9, the recitation, "*said pressurized filter medium conduit*" appears to lack clear positive antecedent basis.

Allowable Subject Matter

11. Claims 17-21 and 36-45 are **allowed**.
12. Claims 5-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

13. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Examiner Robert Popovics whose telephone number is (703) 308-0684, and who can normally be reached at this number from 9:30 A.M. through 6:00 P.M. (EST) M-F.



Robert James Popovics
Primary Examiner
Art Unit 1724

rjp
July 13, 2002